



(In-)Tolerance towards religious minorities in German schools

**Religious diversity challenges in regard to Muslim religious
practice and education**

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2011/18

3. National Case Studies - School Life Final Country Reports

EUROPEAN UNIVERSITY INSTITUTE, FLORENCE
ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

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practice and education**

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**EUROPA-UNIVERSITÄT
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FRANKFURT (ODER)**

**Work Package 3 - National Case Studies of
Challenges to Tolerance in School Life**

**D3.1 Country Reports on Concepts and Practices of
Tolerance Addressing Cultural Diversity in Schools**

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Published by the European University Institute
Robert Schuman Centre for Advanced Studies
Via dei Roccettini 9
50014 San Domenico di Fiesole - Italy

**ACCEPT PLURALISM Research Project,
Tolerance, Pluralism and Social Cohesion:
Responding to the Challenges of the 21st Century in Europe**
European Commission, DG Research
Seventh Framework Programme
Social Sciences and Humanities
grant agreement no. 243837

www.accept-pluralism.eu
www.eui.eu/RSCAS/

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Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe (ACCEPT PLURALISM)

ACCEPT PLURALISM is a Research Project, funded by the European Commission under the Seventh Framework Programme. The project aims to investigate whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies but also social practices, (c) how tolerance can be measured and how the degree of tolerance of a society across time or of several countries at the same time can be compared (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium reviews critically past empirical research and the scholarly theoretical literature on the topic, and conducts original empirical research on key events of national and European relevance that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, targeting policy makers, NGOs and practitioners, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe aimed to be used at upper high school level and with local/national policy makers, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and a book on Tolerance, Pluralism and Cultural Diversity in Europe, mainly aimed to an academic readership. The ACCEPT PLURALISM consortium is formed by 17 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou (anna.triandafyllidou@eui.eu).

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The **Faculty of Social and Cultural Sciences at the European University Viadrina** seeks to research the complicated process of transformation taking place in current Europe by promoting the interdisciplinary relationship between the humanities and social sciences in these representative disciplines: Cultural History, Social Sciences, Literature and Linguistics.

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Executive Summary

Through education at public schools every society tries to influence the attitudes, ideas and social behaviour of its future generations. Germany, as many other European countries, is today an immigration country and as such its population constantly diversifies more and more with regard to cultural, religious, ethnic and other subgroups of society.

This diversification is however not automatically creating more open and tolerant societies that embrace the growing diversity, but instead witnesses antagonism, fears, populist and even rightwing extremist and racist attitudes. Large parts of the society are at least sceptic towards this process, and the fear of ethnic German middle and upper classes losing traditional social privileges vis-à-vis the former migrants, who are increasingly becoming an entire part of the society, seems to play an important role. Anti-immigrant, and since 9/11 particularly anti-Muslim, discourses within politics and the media heighten these fears and antagonisms still further, aiming to preserve a homogeneous society, which already lies in the past. Even if no political party or public individual in Germany has openly called for violence towards Muslims, the murder of Egyptian pharmacist Marwa al Sherbini in 2010 in Dresden and the arson attacks on various mosques in Germany should be perceived as terrible outcomes of these debates.

With schools perceived as the most important institutions regarding the education of future generations, they have played an important role within the debates around Muslims and Islam in Germany over recent years. Some of the issues debated were centred on Muslim parents withdrawing their children from swimming classes, sex education and school trips; Muslim parents not caring enough for the education of their children and not attending meetings with teachers in school and Muslim female teachers wearing the hijab while teaching. Recently the bullying of non-Muslim children because of them eating pork or simply because they were not Muslim, has led to the coining of the term *Deutschenfeindlichkeit* (hostility towards Germans).

However, issues such as unequal chances of non-ethnic German children within the German school system, segregation of ethnic German and 'immigrant' classes and discrimination by German teachers of immigrant and Muslim children have also been discussed.

As the treatment of Muslims seems to be the biggest diversity challenge of contemporary Germany, we decided to look at two cases where Muslims and Islam had been debated recently in relation to public schools, and to analyse the discourses that were framed and which different actors contributed with various arguments. These discourses and arguments were both interesting in relation to the individual cases but also revealing in respect to the overall debate about Muslims, Islam and religious diversity in German schools and German society at large. We looked at how the concept of tolerance was used by different actors for different purposes in the debate and how it related to other concepts such as acceptance and (legal) justice and equality. The focus of the analyses lay, among others, on the different implications of the usage of tolerance as a concept, which in some cases could have rather intolerant effects.

Case 1: Prayer room at a public school

A 16 year old Muslim boy in Berlin took legal action against his school because he was forbidden to perform his Muslim prayer inside the school building. In 2008 the Berlin administrative court decided in favour of his appeal and obligated the school to provide a possibility for the pupil to perform his prayer at school.

The Senate Administration for Education in Berlin opposed this court decision in support of the school and appealed against it. The next higher court level, the Higher Administrative Court, revised the former court ruling in 2010 and allowed the school to prohibit Muslim prayers. The pupil's legal representation lodged an appeal against this decision again and the case is still pending.

Amongst the most important of the school's arguments against allowing the Muslim prayer was that it considered its neutrality would be at stake if it allowed pupils to visibly perform their Muslim prayers, and thus interfere with the other pupils' rights to negative religious freedom, to not be confronted with religious practices and symbols in school. As the religious neutrality of the state has been an important argument with regard to religious diversity in German public schools – and especially Muslim religion and religious practice (the most prominently debated being the headscarf debate) this case offers interesting possibilities to see how this religious neutrality of the state is understood by different actors and in what kind of attitudes and actions these different perceptions result in.

Case 2: Islamic religious education at public schools

The question of Islamic religious education being taught at public schools, how and by whom it should be organised and who decides upon the educational content is currently being debated in many different German *Länder* (federal states). One important barrier to Islamic religious education at public schools has so far been the non-acknowledgement of Muslim organisations as *Körperschaften des öffentlichen Rechts* (corporations under public law), a status that the Christian churches and some religious minorities do hold, and an important prerequisite for the cooperation between the state and religious communities, for example when negotiating religious education in state schools. While different *Länder* are currently looking for ways to acknowledge Muslim organisations or to cooperate with them even without this official acknowledgement, the *IFB - Islamische Föderation Berlin* (Islamic Federation Berlin) has been teaching since 2001 at public schools. The reason for that is the exceptional status of Berlin (and Brandenburg and Bremen) within Germany in regard to the law of religious education. After having fought in court for about 20 years for acknowledgment as a religious community and thus being given the right to organize religious education at state schools, the *IFB* won the case and started giving Islamic religious education for 55 children in two public elementary schools in Berlin. Although the organisation and its teachers have gradually become accepted, the case gives some insight into the difficulties that the Muslim teachers have been meeting within some public schools and the process of 'gritted teeth' acceptance of the Muslim organisation at public schools, that is legally enforced but encountered strong resistance from both the public authorities and the individual schools and teachers.

Methodology

This report is based on both desk research and empirical fieldwork. In terms of desk research we have collected the statistical data available, legal texts and policy documents, media articles and other relevant scholarly literature on the cases in question, about Muslims in Germany and specifically in relation to public school education. The empirical data collection consisted of 18 qualitative interviews with different kinds of actors involved in one of the two cases or both. Both the desk based research and the interviews aimed at a critical discourse analysis of the two widely debated cases and to analyse connections of the two discourses to the larger discourse on Islam and Muslims in Germany. Most of the interviews were held in the central districts of the city of Berlin, a federal state in itself, while one was held in the city of Hanover in the federal state of Lower Saxony. In addition to interviews with politicians, representatives of religious organisations, teachers, pupils and other actors in the field which were held in early 2011, we held a roundtable discussion in June 2011. We invited seven (Muslim and non-Muslim) teachers, trainers and other experts in the field of education, four Muslim pupils and four participants from the field of science and research on Islam at German public schools in order to receive input on our draft report and gather additional data for our analysis.

Key findings

Regarding the specific case of the prayer room being debated before Berlin courts the analyses of interviews from different actors involved shows that a pragmatic approach is favoured by most of them. The solution mentioned most often, from both religious and non-religious people and from students, teachers and others involved in the school context, was the provision of a neutral room at the public school, that could be used by everybody for religious and/or spiritual purposes, such as prayers,

meditations and the like. In order to avoid concurrences and possible conflicts between members of different religions, the room should not carry any specific religious symbols or devices.

Many interviewees voiced the wish that this kind of pragmatism had been applied by the school concerned, and felt that if it had, the case would never have needed to go before the various courts. Some interviewees even stated that a certain anti-Islamic attitude could be found within elements of the school staff, which contributed to the case going to court. At other schools a more pragmatic approach seemed to prevail at first, but then shifted due to the wider anti-Muslim debate, with a number of teachers becoming hostile to the open practice of Islam in public schools. Concerning the specific situation in Berlin, some interviewees also held the opinion that the large proportion of non-religious people in society and politics were sceptic and sometimes even hostile towards public expression of religion in general, not only Islam.

Another issue that was touched upon within this case which is highly relevant for the debate about Islam and dealing with religious practice in general was the understanding of neutrality of the state, which played a significant role when the question of teachers' headscarves was debated, and more recently concerning prayer rooms at public schools.

As with teachers at public schools who should be religiously neutral, as they represent the state, some public actors also argued that the school would violate its neutrality if it provided a room for religious practice. In both cases the courts had and have to weigh the neutrality of the state and the negative religious freedom of non-religious pupils against the positive religious freedom of the teachers with headscarves and of the pupils wanting to perform their prayers. Even if the courts in Berlin and certain other federal states have decided that the interest of the female Muslim teachers with headscarves was not as important as the need of the school to be neutral, these decisions have been highly contested.

It might be even more difficult for the decision to go this way with the case of the Muslim pupil as he is a dependent minor who is obligated to attend the school, as opposed to the teacher, who can choose differently. It thus becomes evident that strict neutrality of the state can in certain cases even lead away from tolerance – the originally intended aim of neutrality of the state towards all religions alike – and towards intolerance of specific religious expressions and practices.

Even independently from this specific case the question of state neutrality and how it is understood – in a laic sense, that keeps religious expression away from public life; in a hierarchical sense, that favours the interests of the established Christian churches over minority religions; or in a sense of equal treatment of religions before the law – will be path breaking for the handling of religious tolerance in the future.

The question of the relationship between the state and the different religious communities is also very important in the case of Islamic religious education at public schools.

Different from the case of the prayer room it actually seems to be in a phase of de-escalation in schools in Berlin. As Berlin has a different law regarding religious education at public schools from most of the other German federal states, one organisation, the Islamic Federation Berlin (*IFB*), has had the chance to acquire the right to teach at public schools after almost twenty years of court cases. The religious education began in a number of Berlin schools in 2001 and has today reached a point where it seems that the organisation and its teachers have been accepted or at least tolerated at most of the schools in Berlin. Even if some schools are happy to have the Muslim teachers at their schools and use them as mediators between the school and the Muslim pupils and parents, a certain scepticism towards the Muslim teachers in general and the *IFB* in particular still seems to persist. Some interviewees even reported minor and major kinds of discrimination of some of the Muslim teachers at the schools in question. Analysing the interviews gives the impression that much of the scepticism and hostility is rooted in a lack of contact and communication, as projects bringing the different teachers in contact have shown good results.

Regarding the overall situation in Germany, the most important question in relation to Islamic religious education at public schools is the failure to acknowledge Muslim religious organisations as

Körperschaften öffentlichen Rechts (Corporations under public law), an important prerequisite of German law on religion for religious education at public schools. The law foresees a close cooperation of state institutions and the respective religious community, represented by the corporation, in order to establish religious education. As these partners of the state do not yet officially exist in any of the federal states that require it, interim solutions are discussed such as Muslim advisory boards. Some interviewees raised the concern however, that these solutions might consolidate the non-acknowledgement of Muslim organisations and also facilitate a stronger intervention of the state in the religious content of the education, which would not be backed by the constitution. The general question of acknowledgement of Muslim organisations in Germany thus seems to be a crucial issue in this context.

Keywords: Tolerance, acceptance, respect, Islam, school, Islamic religious education, prayer room, education policy, Muslim students, school segregation, migrants, diversity, religious neutrality, liberalism

1. Introduction

1.1 The German educational system

In Germany the educational system varies between individual federal states, which have autonomy on educational issues. However a certain skeletal structure of the education system is common to all federal states, with the following four stages:

Grundschule (basic primary school),

Sekundarstufe I (secondary schools I) consisting of *Hauptschule*, *Realschule*, *Gesamtschule* and *Gymnasium* until the 10th form,

Sekundarstufe II (secondary schools II) consisting of *gymnasiale Oberstufe* (upper school level of *Gymnasium*), vocational schools and adult further educational training,

and the tertiary level, consisting mainly of universities and *Fachhochschulen* (technical colleges).

The three tier differentiation of the secondary schools into *Hauptschule*, *Realschule* and *Gymnasium* has been criticised both nationally and internationally¹. The early separation of school children between the different school types has disadvantaging effects on certain pupils, among them children with a mother tongue other than German. In most federal states – except Berlin and Brandenburg – the basic primary school ends after four years (six years in Berlin and Brandenburg) and the children are then sent to the different school types, fixing their educational career often before they have had the chance to adjust to the linguistic level of their fellow pupils. Another critique concerning this educational structure is the school type of *Hauptschule*, the lowest educational level of secondary schools, which has in many cases developed into a dead end school, with such a bad reputation that students finishing *Hauptschule* have great difficulty finding work or apprenticeship training positions.

Combined with the fact that children from immigrant communities were found disproportionately often in this school type and teachers were criticised for discriminative allocation of migrant children due to their background and language competencies rather than intellectual abilities², this school type has been harshly criticised and abolished in some federal states, or not even established as in the case of the new federal states in former East Germany.

The *Gesamtschulen* (comprehensive schools) that exist in different forms in some of the federal states, can be seen as an attempt to prevent early segregation of children, not only concerning migrants, but more generally children from different social classes. The common learning and mutual enrichment of the pupils is one of the goals of this school type.

1.2. The Berlin educational system

In contrast to most other federal states, Berlin pupils generally visit *Grundschule* for six years, although there are some exceptions possible for certain schools that can offer secondary education beginning with the 5th form.

¹ See for example the report of the UN envoy Munoz on the German educational system: <http://www.dw-world.de/dw/article/0,,1911065,00.html>

² In Germany the regular class teachers in accordance with the parents decide which type of school pupils should advance onto (and at which age). This then often reflects teachers' prejudices about ability of the children of non-native German speakers.

Berlin has run a pilot project of *Gemeinschaftsschulen* parallel to the three-fold school system since 2008. Individual schools can become *Gemeinschaftsschulen* and offer all types of certificates while educating all children together. The aim of this school type is to support equal chances through extended common learning and to individually support the skills and talents of all pupils³.

In 2010 this aim was to be further strengthened through a major school reform of the whole Berlin education system. The school forms *Hauptschule*, *Realschule* and *Gesamtschule* were all combined into *Integrierte Sekundarschule* (integrated secondary schools), which is now the only type of secondary school besides *Gymnasium*. The afore mentioned *Gemeinschaftsschulen* still exist parallel and are supposed to become some special form of *Integrierte Sekundarschulen*.

The aim to integrate all school types has only been taken half way, as the *Gymnasiums*, which lead to *Abitur* (school leaving certificates necessary for university entrance) are still separate from the rest of the system.

However, all other schools forms have been abolished and pupils are now taught together from the 7th to the 10th form or even until the 12th (or 13th) form, leading to university entrance certificates. Pupils aiming for *Abitur* can thus choose between the traditional *Gymnasium* and the same kind of educational career within the *Integrierte Sekundarschule*.

The slogan of the reform is ‘from differentiation in the education system to differentiation in the classroom’⁴, meaning that children are not segregated any more between different school types, but are individually supported (in learning groups or courses) and are learning together in the same school or even same classroom.

1.3. Motivation of case selections

German public debates regarding (in-) tolerance or (non-) acceptance of ethno-religious minorities have been strongly focussed on Islam and Muslims during recent years. Although there are other pressing issues, such as the rights of the Roma people in Germany, the debate around Islam (*Islamdebatte*) has drawn much attention in the media and political circles. Thus the understanding of tolerance towards or acceptance of minorities can be studied extensively with this religious minority. Although it is debated both on a religious and ethnic basis in public discourse, I will try to focus more on the aspects of attitudes and politics towards Muslims as religious minority, rather than looking at the general debate about ‘people with immigration background’, the German expression for immigrants and their descendants. Firstly, this expression is rather unspecific and secondly, not all Muslims in Germany have recently immigrated. Among those concerned are also – such is the case with the headscarf banning laws – Muslim women with no immigration history. Although these different aspects cannot be separated, a focus on the issues concerning Islam as a religious minority in Germany allows for a better analytical differentiation.

Germany is distinctly separated into federal states with much autonomy in various fields, such as education, making it difficult to generalise on certain issues. For the two cases discussed in this report I have chosen the federal state of Berlin, which is generally perceived as a rather non-religious society and political climate, in contrast with states such as Bavaria and Baden-Württemberg. On the other hand Berlin has also a rather multicultural, open and tolerant self-perception, where diversity is generally appreciated. Different social minorities, like different kinds of artists, alternative scenes or the gay movement have long appreciated Berlin for its open mindedness and liberalism.

³ See the statement concerning *Gesamtschulen* on the homepage of the Berlin Senate: <http://www.berlin.de/sen/bildung/bildungswege/gemeinschaftsschule/>

⁴ “Von der Differenzierung im Schulsystem zur Differenzierung im Unterricht”: <http://www.berlin.de/sen/bildung/bildungspolitik/schulreform/>

On the other hand Berlin has, partly because of its strong leftist influence in politics both in the former western, but even stronger in former eastern parts of the town, always had a rather distant approach towards religion and especially public expression of religion.⁵

It is this particular combination that made it difficult for Berlin's politicians to establish a law against the wearing of headscarves for Muslim teachers and other professionals, as had been passed in Bavaria and other federal states where Muslims were more obviously discriminated against compared with members of other religions. Berlin rather tried to both prevent Muslim teachers from wearing headscarves and at the same time not discriminate against Muslims, but treat all religions equally. It thus passed a law, the *Neutralitätsgesetz* (law on neutrality), that forbade the wearing of any kind of (ostensive) religious symbols for teachers and some other professions within public services. At least the wording of the law thus cared for an equal treatment of different religions, while in Bavaria only Muslim teachers are forbidden from wearing religious head-coverings in public schools, whereas the ban does not affect Christian nuns.

It is this specific situation that makes Berlin especially interesting to study regarding the (in-)tolerance towards a minority religion.

Both in Berlin and across Germany, the 'neutrality of the state' regarding religious issues has been a major topic within the debate about Islam and religious expression by Muslims during over recent years. 'State neutrality' is often used as an argument to reduce or demand the reduction of public religious expression, especially that of Muslims. As neutrality is in this debate understood and used differently by different actors, it is interesting to have a closer look at those arguments and also to their relation to the understanding of neutrality within the German constitution.

The German legal background to this is a specific understanding of state neutrality, not banning religious expression from public space, as in laïc France, but demands that the state be neutral by not preferencing one religious denomination over another, and to even support religious expression and practice where necessary. The state is not bound to keep religion private but to not favour one religious faith over another. On the other hand there is a strong position of the Christian churches within the society and vis-à-vis the state, which makes this constitutional basis of state impartiality challenging in many cases, among them the headscarf bans and the right to prayer.

The headscarf debate heavily referred to the neutrality of the state, the Berlin and other respective laws even being called *Neutralitätsgesetz*. Another important discussion turned around the conflict of positive religious freedom (of the Muslim women) and negative religious freedom (of the non-Muslim or non believing pupils and parents).

The latter arguments appeared also in a more recent conflict of a Muslim boy in Berlin demanding his right to pray in schools. Within the public debate about this issue as well as in the argumentation of the court, the argument of neutrality of the public school was used to counter the demand of the Muslim boy for his right to prayer. I chose this case of the prayer in school for the analysis of the present report, because it is in line with the headscarf debate regarding the debate about neutrality and the different (positive and negative) freedoms of religion, but is more recent and has not been widely analysed so far. It is in parts specific to the Berlin political landscape but has also general relevance for the whole of Germany. This relevance had also be seen by the different court levels, thus allowing for further appeals to higher instances. The case is currently still pending.

The specific German understanding of state neutrality is also at the core of the local and national debates around the introduction of Islamic religious education at public schools. The German constitution (*Grundgesetz*) states, that the state should actively support religious expression, but has to refrain from unequal treatment between the different denominations. Religious education is thus a

⁵ See for example the defeat of the citizens' initiative 'Pro Reli' in 2006, that aimed to establish religious education as a regular subject in Berlin schools, as it is handled in almost all other German federal states and also guaranteed by the constitution – with the exception of Berlin, Brandenburg and Bremen.

basic legal right and can be demanded to be taught as a regular subject at public schools, while the definition of the theological content is entirely up to the respective religious community. As no Muslim religious community has ever been officially acknowledged by the state, the implementation of Islamic religious education remains a challenge. Berlin is one of three federal states where religious education is organised in accordance with the *Bremer Klausel* (the 'Bremen clause') which provides an exception to the law. Religious education is not a regular school subject in Berlin, as in most of other federal states, but only taught as a voluntary additional subject and organised by the religious communities themselves, with some public financial contributions. One Muslim organisation, the Islamic Federation Berlin (*Islamische Föderation Berlin - IFB*), legally for many years fought for acknowledgment as a religious community, allowing it to give religious instruction at Berlin. The situation was decided by the courts, and political will opposing the Muslim organisation could not change it. This has created a situation where Islamic religious education has been taught for about ten years, in contrast to other federal states. In most other federal states, Islam has only been taught in schools in connection with the *Muttersprachlicher Ergänzungsunterricht* (additional tuition in mother tongue), where children of Turkish immigrants were taught in Turkish about Islam, which was not explicitly religious education as such. The introduction of regular Islamic religious education in line with the constitution is in development in various federal states. However, the content of this education will not be decided upon by the state institutions alone, but as a 'res mixta' in cooperation with representatives of the religious communities. As the existing Muslim organisations are not yet recognised as religious communities by the constitution, this causes major difficulties and different federal states are currently looking at different options of cooperation between the state and the Muslim communities in order to be able to introduce regular Islamic religious education at public schools⁶.

The experiences of the Islamic Federation Berlin and its teachers both with the public institutions and the schools, where they work is thus exceptional for Berlin but through its longer experience might function as an interesting pioneering example for the current national and local debates and models.

1.4. The number of Muslim pupils

No official numbers exist with regard to the exact number of Muslim students in schools and higher education. Data only reveals the number pupils of German or other nationalities in schools. Of the German students, the number with an immigration background has been counted for several years now. The PISA consortium published the numbers of students with an immigration background in 2003⁷ as 22 percent and in 2009⁸ as 25.6 per cent.

⁶ The German constitution does not foresee a state church, but close cooperation between the state and religious communities. The precondition for this cooperation with the state is the acknowledgement of the religious community as a *Körperschaft des öffentlichen Rechts* (Corporation under public law). A community that is acknowledged in this way can benefit from the state collecting 'church taxes' for them, can offer religious education in public schools with its own curriculum but financed by the state and has many other advantages. The acknowledgement necessary is made by the federal states, which verify above all the continuity of the community and if it is law-abiding. As the law is very much oriented towards Christian churches, Muslims and some other communities are disadvantaged because of the differences in their structures and organisation. The larger Muslim umbrella organisations in Germany have sought acknowledgment from the state for several years, but have always been confronted with both the structure issue – Islam does not provide one hierarchically structured church as partner of the state – and with a lack of political will. When the big organisations finally succeeded in founding one common organisation in 2007, the Coordinating Council of Muslims in Germany (*Koordinationsrat der Muslime in Deutschland - KRM*) in order to provide a common partner for the state institutions, they were again rejected with the argument that they did not represent enough Muslim believers. As Muslims who use the facilities of a certain organisation do not usually register as members, this belonging and representation can not easily be proven.

⁷ <http://www.mpib-berlin.mpg.de/Pisa/index.html>

Estimates suggest 700,000 German pupils have a Muslim background,⁹ while the educationalist Havva Engin suggested in 2001 that six percent of pupils were Muslim (Engin, 2001). The percentage is probably much higher today and highly fluctuating between former west and east German states, as well as between cities, districts and even individual schools.

In Berlin, a fifth of all school children (95,211) were said to have a ‘mother tongue other than German’ in the school term of 2008/09, compared with one fifth or 72,633 in 2000/01.¹⁰ *Nicht Deutsche Herkunftssprache (NDH)* (non-German language of origin) is a term that is quite problematic in itself, as it also includes children who were born and raised in Germany and have German citizenship. The official definition on the website of the Berlin Senate says that the language used in the family decides whether a child is counted as having ‘German language of origin’ or ‘non-German language of origin’. In school however the label of NDH tends to support a further ‘othering’ of certain children because of their ethnic background. The Berlin based NGO *Migrationsrat Berlin Brandenburg* for example criticised the segregation of school classes along the lines of ‘German’ or ‘non-German’ language of origin, which tends to further marginalise non-ethnic German children.¹¹

1.5 Research Methodology

This report is based on both desk research and empirical fieldwork. In terms of desk research we have collected the statistical data available, legal texts and policy documents, media articles and other relevant scholarly literature on the cases in question, and about Muslims in Germany and specifically in relation to public school education. The empirical data collection consisted of interviews with different actors involved in one of the two cases or both. Both the desk top research and the interviews aimed to create a critical discourse analysis of the two widely debated cases as well as to analyse connections between the two discourses and the larger discourse on Islam and Muslims in Germany. Most of the interviews were held in the central districts of the city of Berlin, itself a federal state, while one was held in the city of Hanover in the federal state of Lower Saxony.

More specifically we conducted 18 semi-structured qualitative interviews in total. Of those seven were conducted with local politicians and members of Muslim and non-Muslim NGOs, seven with Muslim and non-Muslim teachers in Berlin, six of them in Berlin and one in Hanover. Four interviews were conducted with Muslim pupils, of whom three were male and one female (see Annex). In addition to the interviews held in early 2011 with politicians, representatives of religious organisations, teachers, pupils and other actors in the field, we held a roundtable discussion with experts in the field of Islam at German public schools in June 2011 in order to back up the findings of the draft report and gather additional data for our analysis. The first part of this group discussion was introduced by Werner Schiffauer who gave some input from his research about the situation of Muslims at German public schools and was followed by a discussion about individual experiences of the present school members and experts. The second part of the roundtable was introduced by three experts working in the educational field, who reported on their different experiences regarding Muslims at German public schools, and was again followed by an exchange of the experts present on both their theoretical considerations and practical experiences.

(Contd.) _____

⁸ Klieme, Eckhard (ed.); Artelt Cordula (ed.); Hartig, Johannes (ed.); Jude, Nina (ed.); Köller, Olaf (ed.); Prenzel, Manfred (ed.); Schneider, Wolfgang (ed.); Stanat, Petra (ed.): PISA 2009. Bilanz nach einem Jahrzehnt . Münster: Waxmann 2010, p. 200-230

⁹ Bildung Plus, Interview with Aiman Matzyek, chairman of the Muslim umbrella organisation *Zentralrat der Muslime in Deutschland ZMD*, available at <http://islam.de/6382.php>

¹⁰ Source: Amt für Statistik Berlin-Brandenburg, Senatsverwaltung für Bildung, Wissenschaft und Forschung, online: http://www.berlin.de/lb/intmig/statistik/aus_bildung/schueler_herkunftssprache.html

¹¹ Migrationsrat Berlin Brandenburg: Empfehlungen zum Landesaktionsplan gegen Rassismus und ethnische Diskriminierung (LAPgR) in Berlin von Seiten zivilgesellschaftlicher Akteur_innen.

2. Case 1: The question of state neutrality and tolerance of religious practices in schools

Introduction:

In 2008 the Berlin administrative court decided in favour of a 16 year old Muslim pupil who had taken legal action against his school because he was prohibited from performing his Muslim prayer inside the school building. Among the most important of the school's arguments was that its neutrality would be at stake if it allowed pupils to visibly perform their Muslim prayers and thus interfere with the other pupils' right to negative religious freedom, meaning not being confronted with religious practices and symbols in school.

The Senate Administration for Education in Berlin opposed this court decision and appealed against it. In 2010, the next higher court level, the Higher Administrative Court, followed the argumentation of the Senate Administration for Education and the school and allowed the school to prohibit Muslim prayers. The pupil's legal representation lodged an appeal against this decision again and the case is currently still pending.

The necessity to maintain the neutrality of the state is used as an important argument not only in this case. In practice, the specific understanding of state neutrality is interpreted in different ways, especially in the area of education. The conflicting views of a more laic interpretation, where the state should refrain from supporting any kind of religious expression and an understanding of 'positive neutrality' as the German constitution describes it, where the state remains neutral towards the different affiliations while supporting religious expression in general, often clash in the school setting. The issue has also been dealt with in relation to the Christian religion, when crucifixes in schools were the focus of the conflict, but is most often dealt with in relation to Muslims and Muslim religious practice. The headscarf of Muslim teachers has been the most prominent focus of public debate in recent years. In contrast with conflicts over Christian religious practices, the issues concerning Muslims in the debate often touch upon both arguments of state neutrality and on issues of (in-) tolerance towards religious diversity. It was thus of great interest and importance to observe how the different actors apply the ideas of neutrality and secularism to this case and connect them with other cases where Muslim religious practice in schools may be judged to interfere with state neutrality either to support their arguments or to distinguish them from other cases where they apply neutrality differently.

Discourses on concepts of state neutrality and tolerance

2.2.1. Neutrality as equal support of different religions

The first court level, the Administrative Court of Berlin (VG), did not accept the argumentation of the school that the principle of the neutrality of the state must be maintained within the state's institutions, by arguing that the pupil had a right to demand his religious freedom under article 4 of the German constitution.

Religious freedom extends to public displays of faith

"This basic right does not only extend towards the inner freedom to believe or not to believe, but also to the outer freedom of expressing this belief. To this belongs – especially as the duty

of prayer belongs to the five pillars of Islam – in particular prayer”¹² (translation by the author)

The school’s argument of the demonstrative and promotional effect of the Muslim prayer was countered by the court in saying that the school could organize a place somewhere on the school site where the boy could carry out his prayers without disturbance, which could not easily be seen by others. The endangering of the peace at school through conflicts between different religions and cultural backgrounds was not recognised by the court, which instead declared:

“The peaceful coexistence at a non denominational school requires that the pupils learned to tolerate and respect the religious beliefs of others.”

Respect conception of tolerance towards inner and outer expression of religious belief

The court names tolerance in the same breath as respect, thus referring to what the political scientist Rainer Forst refers to as a *Respektkonzeption* (‘respect conception’) of tolerance, based on mutual respect and acceptance of different groups and individuals on the basis of a constitutional political community (Forst, 2003:42). The Administrative Court positions this kind of tolerance as a major educational objective for all pupils in all schools.

The understanding of state neutrality as an equal support of different religions is thus closely connected with an understanding of tolerance as respect conception. Tolerance in this sense is closer to respect and acceptance and might be seen as the individual virtue of citizens, where the concept of neutrality as the support for equal rights is the legal framework.

Various interviewees, some teachers and one NGO representative, referred to the equal treatment of religions when asked about their views on prayer rooms at schools. Particularly interesting however was the fact that the Muslim pupils interviewed in this research referred heavily to an understanding of equal treatment of the different religions before the law and demonstrated a considerable amount of trust in German legal institutions.

One young Muslim man, who visited the same school as the claimant, said he would not have chosen the legal action as his schoolmate did. However, when asked about another way to resolve the problem, he said,

“To be honest, you could only solve it that way. I could not have imagined it any other way. If he really wanted it, the teachers would have said ‘no’ for sure. They did say it in fact. They really said no and they would have insisted on it.” (L)

Interestingly, while the pupil did not trust in the help and support of the teachers, he obviously perceived going to court as a realistic possibility to achieve justice.

A female Muslim pupil who attended another school in Berlin described the development around the prayer room at her school. Pupils were given a room by the headmaster, which was later taken away again after discussions started among the teachers. Although this room was withdrawn with the argument that it would be unfair towards other religions, the schoolmaster still solved the problem pragmatically by allowing the pupils to use any room they could find for their prayer. Concerning the court cases, the interviewee uttered a feeling of injustice,

“In my opinion, it is should not be allowed to prohibit pupils from praying in school, because it does not actually disturb the (other) pupils, as most of them pray during the break when it is loud anyway.” (F)

Later on when describing a case at another school where the Muslim pupils had been always prohibited from praying, she again expressed the view that this was not in line with the law. She then

¹² Decision of the 3rd chamber of 10th of March 2008 – VG 3 A 983.07

described the case of a young Muslim at her school, who had organized a collection of signatures in support of a prayer room, which had been ignored by the headmaster. She explained that the young man had later been called to the headmaster and accused of drawing a tree and later crossing it out, interpreted by the teacher as a crossed out Christmas tree and thus a sign of a fundamentalist attitude. The boy had been warned that he would have to leave the school if he did anything like this again. The interviewee quoted the young man as saying:

“This is ridiculous, what they are doing to me...if I went to court, they would lose.” (F)

Interestingly this boy shows the kind of behaviour which could well be interpreted as civil resistance and stemming from a very democratic attitude, collecting signatures from supporters in his school, although they were not acknowledged by the headmaster. Nevertheless, the young man is still sure that if he took the last step possible and went to court, he would find justice there. He thus also expresses a strong trust in the German legal system, which he is sure would give justice to him, whether he belonged to a religious minority or not.

The decision finally taken by the German courts about the possibility to pray at school might be important for further strengthening, or weakening, this trust of young Muslims in the German legal system offering justice for all citizens and also acknowledging religious freedom for minority religions too.

2.2.2. Neutrality as the invisibility of religious practice

The second court level, the Higher Administrative Court in Berlin (OVG), followed the argumentation of the pupil's school however, judging the peace at school at risk due to an encounter of a

*“plurality of different religions and faiths”*¹³, containing a *“considerable potential for conflict”* (translations by author).

Religious freedom limited to individual practice

In the following judgement the court refers to conflicts which arose at the school due to some Muslim pupils not following religious commands such fasting, praying and not eating pork. The OVG also refers to the other court's argument of supporting tolerance and respect among the pupils and declares that educational means to support *“mutual tolerance and respect”* would not be enough for securing the peace at school, if

“religious cultic actions were allowed, that were – like the often collectively performed ritual of Islamic obligatory prayer – easily perceived from outside and thereby different from silent prayer, tolerated by the defendant.”

The OVG ruled that the peace at school (*Schulfrieden*) was especially endangered by the allowance of outwardly perceivable religious practices in opposition to the calm prayer of an individual. Although both individual and group religious rights are equally protected by the German constitution, they are frequently differentiated in public discourse, generally acknowledging the former but often delegitimising the latter. Here both the group and the outwardly perceivable aspects of religion are touched upon.

¹³ Verdict of 27th of May 2010 - OVG 3 B 29.09; Press release 13/10

Allowance-tolerance towards silent, invisible and individual religious practice

Interestingly the OVG explicitly differentiates between “*often collectively performed*” prayer and the “*silent prayer*” of the individual, which was tolerated by the school. While it rejects the ‘respect tolerance’ demanded by the VG as too weak a means to ensure peace at school, when talking about a silent prayer it refers to what Rainer Forst calls the allowance-conception of tolerance (*Erlaubniskonzeption*). This describes the relation between a powerful entity, in this case the school, and a less powerful minority or member of a minority, which is granted tolerance, but can also lose it at the will of the tolerant. (Forst, 2003)

Similarly an interviewee from the Senate Administration for Education in Berlin, the institution which initiated the appeal against the first court decision, also cited the silent versus the demonstrative character of different forms of prayer. While he explicitly emphasised that the Senate Administration naturally supported the religious freedom of pupils and was well aware that the secularism of Germany was a positive instead of a laic¹⁴ one in the French or Turkish sense, he limited this support of religious expression to the inner, silent form of prayer. He referred to an expert report that the Senate Administration had used in court, which distinguished between two forms of Muslim prayer, one being “important for the spirit and the inner ethical questions” while the other was “a demonstration of community.” He further quoted the expert report by saying that the ‘ritualistic prayer’ of Muslims had a missionary meaning, particularly in societies which were not yet, but “should become majority Muslim.” He thus implicitly connects the Muslim ritual prayer with an Islamist aim of making the majority of the population Muslims. Although the Senate representative confirms that missionary activity would be normal human behaviour, he demands its limitation by certain rules in order not to lead to strong conflicts.

The visibility and audibility of religion by itself is perceived here as a sign of missionary activity and even contextualized with the aim of proselytizing the whole society.

This trope of ‘Islamising’ the whole society is often found in rightwing populist debates¹⁵, especially in the movements against mosque building and generally anti-Muslim groups, but also enters mainstream political discourse through this kind of ascription of - assumedly intolerant - Muslims trying to undermine the society.

After several years of controversial debates around its content, the Senate Administration for Education published the “*Handreichung Islam und Schule*” (Handout on Islam and School) in 2010, in order to help teachers in dealing with Muslim issues at school. The handout explains that only very few Muslim children would want to pray at school. A judgment about the motivation of those few follows:

“Some of them because here it becomes outwardly recognizable, if someone fulfils the religious norm,” (Senate Administration for Education, Science and Research, 2010: 8)

The handout further argues that this can turn into moral pressure on other pupils who do not want to pray. In referring to the pending court case, only the arguments of the second court level (which argued against the right to pray at school) are cited and the focus is put on the religious neutrality of the school, and its role to ensure that pupils are protected from both pressure and missionary influence of the ritual of prayer.

¹⁴ The interviewee here refers to the understanding of state neutrality towards religion as described in the German constitution as a ‘positive neutrality’, which – in contrast with the strict separation of church and state in for example laic states like France – supports close cooperation between the state and the religious communities.

¹⁵ See for example the former publicist of the newspaper FAZ (Frankfurter Allgemeine Zeitung) Udo Ulfkotte. Among his prominent books is Ulfkotte, U. (2008) SOS Abendland. Die schleichende Islamisierung Europas. (SOS Occident. The creeping Islamisation of Europe), Rottenburg am Neckar: Kopp Verlag or Ulfkotte, U. (2003) Der Krieg in unseren Städten. Wie radikale Islamisten Deutschland unterwandern. (The war in our towns. How radical Islamists are infiltrating Germany.), Frankfurt am Main: Eichborn.

One of the female Muslim pupils interviewed also described these accusations of proselytising through the visibility of the prayer. Without prompting from the interviewer, she described how she saw the reason for the prohibition of prayer at school as the fear of missionary activity and directly tried to counter it:

“But the others would realise that. We as Muslims are not just pulling people inside, saying, look here, we proselytize you now.’ Islam is not like that.” (F)

The limits of tolerance

The threat of missionary activity by Muslim individuals or organizations – although perfectly in line with the constitution – is very often referred to as the limit of tolerance, as the borderline, where the person or organization forfeits its right to be tolerated itself. For example, an interviewee working at a Berlin school said, in reference to tolerance towards religious minorities: “No tolerance towards the intolerant! Tolerance is a kind of respect, that other people are different. But, I am completely intolerant towards those that start proselytizing, that start calling their way of life the only true one, that attack others, because they do not think alike and are different. (...) And that played an important role within the discussion here at our school.”

The danger of too much religion (particularly Islam) in public space, and the danger of ‘too much tolerance’ towards it is also referred to by Johannes Kandel from the Friedrich Ebert Foundation. The foundation is associated with the Social Democratic Party (SPD), and is an important public actor concerning Islam within Berlin society, which also strongly influenced the “Handout on Islam and School” mentioned earlier. In his introductory speech to a public discussion about the prayer case (FES, Nr.38: 3) he states, that religions could only expect

“respect, tolerance and acceptance by civil society and the state, if they accepted the fundamental principals of secularity, universal human rights, democracy, constitutional state and pluralism” (translation by the author).

He also declared that not all religions were equally developed – especially concerning their dealing with other religions - and are thus challenging the dictum of equal treatment. He concludes, that the tolerance of intolerant attitudes and practices might contribute to the abolishment of tolerance in society.

As the discussion that follows this introduction is primarily about the case of the young Muslim who wanted to pray at school, it becomes clear to which religion Kandel is mainly referring to in his presentation, and that the most important issue for him in the context of the possible prayer at school is the danger of tolerating intolerant practices and religions.

The concept of tolerance is used here rather as an excluding than an including discourse. By naming the demand of toleration, namely “accepting fundamental human principles of secularity, human rights, democracy and constitutional state pluralism”, the border with the other is drawn – in this case the religious Muslims – and he is both positioned outside of this part of society, which forms the ‘we-group’, where the adherence to all these values is not even put in question. But this position of the one who is outside but tolerated is also put further into question by explicitly stating that even the tolerance – that already marks him as an outsider – will only be granted if certain values are subscribed to. By naming these values an idea of cohesiveness within the we-group is purported and at the same time it is generally doubted that the other – in this case the Muslim – easily subscribes to these values.

The relation between the concepts of state neutrality and tolerance

A general difference between the two court rulings can be seen in their perception of the role (and power) of an attitude of ‘tolerance and respect’ towards different religions and world views. While the first court saw it at the core of peace at the school, the second court perceived a too exclusive focus on tolerance as a threat to peace at the school, which could better be maintained with the religious differences kept as invisible as possible and thus the whole school (including teachers and pupils) as neutral as possible. Tolerance in the sense of accepting religious diversity in school is in this perception rather seen as a threat than a chance and the only religious practice tolerated by the school is the silent, individual and rather invisible one.

The understanding of state neutrality as eliminating any visible and outwardly perceivable form of religious practice from the public sphere is thus in close connection to the understanding of tolerance as allowance-conception. Tolerance is rather portrayed as a threat than a virtue and mainly mentioned in connection to its limits, those being any kind of perceived intolerance of religion itself, primarily any attempt to proselytise. Tolerance is not understood as an individual virtue supporting the legal frame of equal rights, as in the case of the respect-conception of tolerance. Rather it is taken as some kind of bearing of the other, one who is not on equal power terms but always in danger of not being tolerated any longer. The non-tolerance is then applied to any perceivable kind of religious expression, especially when performed by groups.

2.3. Possible solutions of the prayer conflict and further developments

2.3.1. ‘Room of silence’ as compromise between the different perspectives on neutrality

Even those interviewees who generally opposed a room for Muslims to pray in school generally supported a ‘room of silence’ to be used by all religions, stressing the elements of silence (meaning silent prayers) and neutrality (meaning that no religious symbols should be shown in order to avoid opposing views which could lead to conflicts). The religiosity seemed to be neutralised well enough through the invisibility and inaudibility of the prayers and the problem of meeting the needs of all different religions and worldviews seemed to be solved as well. However, a headmaster who offered this solution to the problem explained that he would have been ‘laughed at’ if he had proposed this to the Senate Administration for Education.

The interviewee from the Senate explained that he opposed this neutral ‘silent room’ because these requests were normally made by only a few, while the majority remained silent, and implied the danger of religious groups and communities taking the initiative and influencing the pupils from outside. He also referred to the unacceptable influence of other organisations beyond the religious ones, namely the political parties and other ideological groups and the danger that children could associate themselves with these groups out of mere opposition to their parents.

He then said that education could only succeed if it did not work against the parental homes. Otherwise the child would be

“torn in different directions. And even the best child cannot stand this.” (Translation by the author) (N)

This attitude of the Senate Administration for Education against even a common room for different religions was criticised by other interviewees and perceived as a sign of a general anti-religious attitude.

2.3.2. Anti-religious attitudes as barrier to religious diversity

At the public discussion at the Friedrich-Ebert-Stiftung about the court case in Berlin, Astrid Reuter, a theologian and religious scientist, stated her opinion that for the large part there was not a big problem with intolerance stemming from religious communities in Germany, but more from the part of non religious people. According to her this originated in the difficulties to deal with the diverse meanings of religions, religious symbols and practices which could be observed during the headscarf conflict. This insecurity often led to an intolerant attitude towards religions and religious needs and concerns. (FES, Nr.38: 8-9)

This intolerance by non-religious people has also been perceived by different interviewees within the research. It was observed that Berlin was a traditionally secular and non religious city and that in particular the educational policies were advancing the view that religious expression should be kept out of the everyday school life as far as possible in order to keep a good and harmonious atmosphere.

Two interviewees, a Muslim teacher and a Protestant educationalist, bemoaned the fact that religion was often only seen in a problematising manner and in connection with fears, rather than as a potential source of tolerant behaviour and mutual respect.

Those fears were sometimes expressed by the interviewees when other interviewees talked about the missionary aspects of common prayers and the possible pressure which this can put on less religious pupils, but also when the danger of the religious communities behind the young pupil and his concerns are assumed and their possible influence in the schools is compared with that of political parties or scientology.

Several Muslim pupils also described encounters with this fear of and even hostility towards Islam with some of their teachers. Two young Muslim men who went to the same school as the claimant portrayed the school as one where religious practices were not seen favourably by many teachers. They both also explained, that one of their teachers had openly said in class, that he had an anti-Muslim attitude and that he talked about Muslims and Islam in a hostile way, whenever the talk at school touched upon it. Additionally one of the interviewees described how the headmaster in Ramadan had once put a glass of water in front of him in order to make him break his fast.

That the fear of extremism is never far away could be observed in the case of a young man at another Berlin school who crossed out a picture he drew of a tree, because it had been immediately been perceived as anti-Christian and thus Muslim extremism and even put him in danger of having to leave the school.

2.3.3. Possible future developments of legal rulings regarding religion

At a public discussion about the court case of the prayer in Berlin, Hans Michael Heinig, a professor for church law, explained that three alternatives were currently under discussion among experts concerning the further development of the *Staatskirchenrecht* (the law affecting the church and the state) in the future:

1. Equal treatment before the constitutional law regarding religion (*Religionsverfassungsrecht*)
2. Hierarchisation through the privileging of the Christian denominations
3. Laicisation of the religious legal order.

Heinig explains, why in his view, the first option is by far the best option, also in terms of compatibility with EU law. However, the other two alternatives can be widely heard in public discussion concerning the treatment of religion in general and Islam in particular.

Heinig further states that in his view the concept of tolerance should not feature in the legal debate. He argues that the toleration of people with a different faith would only be one step before religious freedom, which has already been secured by the law, but as an individual virtue of the citizens it would be no legal duty. He explains however, that an intelligent legal system on religion could support tolerant attitudes of citizens, while a non-intelligent one could hinder them.

On the other hand he described the virtue of religious tolerance as an important tool in extrajudicial conflict-management. Here he defined the connection between tolerance and religious freedom as an object of legal protection:

“The more intolerant a society is, the more important the effective enforcement of religious freedom becomes, but also the more precarious the claim towards enforcement of the law becomes within the society.” (FES, Nr.38: 6)

These remarks can well be connected to the different perceptions and debates among the interviewees with regard to the court cases in Berlin.

Various interviewees reported that the headmaster of the respective school in Berlin had a very antagonistic attitude towards Muslim prayer at school and it appears as if the young man and his father only went to court at the point at which prayer at school was made completely impossible. This would support the view described above, that the less tolerance a society (or sub-system in society) shows, the more important the effective enforcement of religious freedom becomes.

On the other side tolerating the prayer at school is even seen as a possible way of handling the issue by many of the actors who generally opposed a prayer room. It could thus be perceived as the virtue of the citizens, and seen as necessary for extrajudicial conflict management in society. The moment however in which more than voluntary tolerance is demanded, namely the enforcement of a legal rule, this tolerance seems to become diminished.

2.4. Conclusion

It can generally be concluded that the tolerance of religious practices such as prayer at school (taken as the pragmatic handling of this need of certain pupils) would be a good option for most people involved. Things change completely the moment the ‘tolerance’ goes from a personal decision which every school and teacher makes for themselves on whether and how to grant it, and to whom it should be granted, is transferred to a legal right, such as when the young Muslim and his father appealed to the court. The moment something becomes a legal right, which then must be granted by the administration even in cases when they would rather not grant it, the decision about ‘tolerance’ or ‘non-tolerance’ is taken out of the control of the administration of the schools.

Concerning religion and especially Islam this seems to become especially problematic as the doors of the school might be opened towards groups of people who should not be trusted and might infiltrate the pupils in a negative way. Religion is generally perceived as inciting rather than appeasing conflicts, which is why as much invisibility and inaudibility of religion is aimed for.

This view takes its strongest position in the words of Kandel, that too much tolerance even for the intolerant religions could cause the society to lose its tolerance altogether.

Here (perceived) intolerance marks the border between those religions that are to be tolerated and accepted in society (because of their higher development) and those that are not – namely Islam, the one dealt with in this instance.

In this discourse tolerance becomes a tool for making distinctions between the ‘good’ and the ‘bad’, the one that is to be tolerated and the one that is, due to its own intolerance, not to be tolerated. Another understanding of the concept of tolerance, referred to by Forst as the respect conception of tolerance, sees the case of the space for prayer as a particular opportunity to learn tolerance and mutual respect in school. This conception of tolerance was used in the first court decision by the VG.

The second court, the OVG, perceived this understanding of tolerance as not strong enough to ensure peace at school vis-à-vis the diversity of conflicting religions present – and would thus support the appeal, that too much tolerance – for the wrong people and religions – can be dangerous for the society. Here the way how tolerance as a concept is referred to rather belongs to what Forst calls the ‘allowance conception’ of tolerance, which attributes one side the power to tolerate or not to tolerate.

According to Wendy Brown this shifting of the debate from a ‘respect conception’ of tolerance towards an ‘allowance conception’ of tolerance could be an attempt to ‘depoliticise’ the discourse (Brown 2008). By changing a legally ensured right into an objective of tolerance, the debate is taken out of the realm of equal rights and into the realm of voluntarily attributed allowance, and from a more powerful towards a less powerful entity. In fact, the perception of a social power struggle ongoing in court has been described by different interviewees.

The interviews with diverse actors also suggest that the idea of a common ‘room of silence’, designed and organised by the various pupils together and thus support the learning of mutual ‘tolerance and respect’, would be a viable solution both for religious pupils of different faiths and for many atheist and Humanist actors in the field.

A policy recommendation stemming from the analysis of different arguments and different actors within the debate about prayer rooms in public schools would ask the Senate Administration for Education in Berlin and headmasters of the different schools at the local level as well as the *Kultusministerkonferenz* (joint board of the cultural ministries of the federal states) on the national level to reconsider the provision of a small room at every school that can be used for spiritual purposes such as prayers or meditation. In order to avoid possible conflicts or fear of proselytizing, the room should be held religiously neutral without any religious symbols or pictures, so that it can be used by members of different religious communities as well as non-religious people, who wish to withdraw for meditation.

3. Case 2: Experiences with Muslim religious education at state schools using the example of Berlin

3.1. Introduction

In 1980, long before state provision of Muslim religious education at state schools was nationally debated, the Muslim organisation ‘*Islamische Föderation Berlin - IFB*’ (Islamic Federation of Berlin) went to court in order to gain acknowledgment as a religious community and thus have the right to organize religious education at state schools. More than 20 years later, the organization won the case and started giving Islamic religious education for 55 children in two public elementary schools in Berlin.

Article 7 of the German constitution states that religious education is a proper subject (*ordentliches Lehrfach*) for public schools and should be organised in cooperation with religious communities. The *Bremer Klausel* (the Bremen Clause) excepts Berlin, Bremen and Brandenburg from this basic law, meaning that public schools do not have to offer religious education as proper subject, but it can be offered by the religious communities only as an additional, elective subject. In Berlin, religious education is only organized if enough parents of a certain religion opt for it. The religious education teachers are provided by the respective communities and the Berlin Senate has no right to interfere in the religious content taught in those classes, as long as it meets the basic constitutional standards.

From the commence of the teaching in 2001 until today many criticisms towards this non-interference of the state and towards the IFB have been raised.

Nevertheless, today the IFB has been teaching for ten years and could extend its sphere of work to 32 elementary schools and over 5000 pupils, with instruction by 23 religious teachers.

3.2. Development of the (non-) acceptance of the Islamic Federation

3.2.1. Distrust towards the Islamic Federation in Berlin

The IFB fought in court for nearly 20 years to be allowed to give Islamic religious education and was ultimately acknowledged by the courts as a religious community in the legal sense, giving it the possibility to give religious instruction at public schools in Berlin. Although the decision meant a legal acceptance of equal rights of the Muslim organization, in practice the acceptance of the organization and its teachers at public schools was one of forced tolerance rather than acceptance. For example, in August 2001 the financial paper *Handelsblatt* ran an article entitled “Allah comes into the classrooms” and bemoaned the fact, that: “The Senate Administration for Education is forced to provide rooms and pay for teachers that the federation is free to choose.” (*Handelsblatt*, 2001) (translation by the author)

The mistrust towards the organization became clear through quotations in press articles such as that on website about migration that cited a legal scholar describing the IFB as an association with

“religious, political and cultural goals in the guise of a religious community” (Bundeszentrale für Politische Bildung, 2000) (translation by author).

This trope of disguise directly refers to the public and political perception of the organization Milli Görüs, to which the IFB is said to have strong contacts. The Milli Görüs has been observed and criticised by the *Verfassungsschutz* (German intelligence services) for many years, and referred to as ‘legalistic Islamist’. This category defined as organisations that are not connected to any kind of terrorism or violence, but are said to enforce Islamist positions through the “utilisation of legal instruments” (“...unter Ausnutzung rechtsstaatlicher Instrumentarien,”¹⁶ translation by author). Schiffauer has described this position towards the Milli Görüs and the IFB as a general attitude of suspicion which tends to turn every positive statement by members of the organization on the society and its constitution as an attempt to hide its true intentions (Schiffauer 2010).

Media reports also described the “legal tricks” that the Senate Administration for Education used before the final court decision in order to keep the organization out of schools. The Berlin daily *Tagesspiegel* described an absurd correspondence between the Muslim organisation and the Senate Administration, which tried to delay the court case as long as possible. They quoted the representative of the IFB Kesici:

“Suddenly the administration says that the language certificate of a teacher from the federation was not readable, then a health examination is supposedly missing or a police certificate, never previously mentioned as compulsory.” (Vieth-Entus, 2000b)

An interviewee who used to represent a secular Turkish organization in Berlin described the Senate Administration for Education’s strategy of delaying the cases that it has been carrying out for years.

“They file a petition and you do not hear anything. That’s how it starts. Because the Senate Administration thinks ‘we can sit this out’. Then after three months they threaten to take an action to compel the performance of an act, or discreetly hint at it. Then comes the answer ‘we never received the petition’. Then it is filed again. Then silence. Then the Senate Administration said ‘you are – somehow - too narrow in your understanding of Islam’ or something like that. (...) It went constantly back and forth.” (B)

¹⁶ Bundesamt für Verfassungsschutz: Islamismus und islamistischer Terrorismus, http://www.verfassungsschutz.de/de/arbeitsfelder/af_islamismus/

However, the online version of the weekly *Der Spiegel* quoted the Senate Administration for Education acknowledging the fact that, in spite of supposed connections to the organization Milli Görüs (under surveillance by the *Verfassungsschutz*) the IFB itself had not presented any kind of programme rejecting the constitution. The Senate Administration instead criticized the education by the IFB that:

“did not enable pupils to critically deal with their religion. Also the equality of man and woman could not be described as in line with the constitution.” (Ströbele, 2001).

The website however also quoted the respective judge, saying it was not

“the duty of religious education, to communicate doubts about the trueness of their faith to the pupils. If criticizing Islam for failing to support gender equality, the Catholic Church would also have to be attacked. (...) As long as the equal position of men and women in the German state are not denied within the teachings, there is no reason to intervene.”

3.2.2. The beginning of Islamic religious education – ‘gritted teeth tolerance’

After the IFB had been given permission to teach at public schools, the scepticism towards them remained high. A representative of the IFB describes the attitude of ‘gritted-teeth tolerance’ towards the religious teachers in the beginning:

“You have to imagine moving into a house where you are not wanted. And we were not wanted. You have entered through legal action. There were reservations. One did not want us. There also was no willingness to cooperate with us. But eventually one had to do it. Therefore in the beginning there were quite a lot of problems, that we had to deal with. They were also partially... I don’t know if they were structural, or personal, if the individual people were deciding for themselves or if it was mandated by the Senate Administration. They did cooperated with us, but also gave us the feeling: actually we do not want you.” (C)

The interviewee also explains that the Islamic education had begun at a most unfortunate point in time, because the terror attacks of 9/11 had triggered a negative debate about Islam and Muslims.

“We were not judged by what we accomplished, but by what the had media said. I’ll give you an example: when teachers had been working there for some time, many headmasters said to them ‘We’re glad that you’re here and not the others’ - meaning the other fundamentalists, so to say. I heard almost every teacher saying that and eventually asked during a teachers’ meeting: ‘Is there anybody who hasn’t heard this statement?’ Everybody had heard it.” (C)

Shortly after the beginning of the religious education the Berlin daily *Der Tagesspiegel* quoted the IFB reporting that at one of the schools where they were about to teach, the Muslim teachers were not allowed to enter the classrooms. (Vieth-Entus 2001)

As a vivid sign of distrust, the Senate Administration for Education has carried out individual examinations with its teachers concerning their loyalty towards the German constitution since the beginning of the IFB’s religious instruction at public schools performs.

“We now have someone observing every term – unheralded. This means the headmasters come into the class, listen and complete a report. And they observe if you are against the constitution or not. (...) We have still five years in front of us. Following the code of practice for the instruction of religions and worldviews, a religious community that comes into a school can be monitored for 15 years. And after that there is a certain examination.” Asked, if this was a new regulation, the interviewee explained:

“Only for us. That has been designed especially for us.” (C)

3.2.3. After ten years of Islamic religious education – an ambivalent picture

With regard to the situation of the teachers of the IFB at public schools today however the representative of the organization drew a much more positive picture:

“The teachers at school realized that the Muslim teachers are normal human beings, that they deal with normal issues and most importantly, that they sometimes even cause something positive. If you somehow persuade children that violence and bad language, that mutual teasing are not good, and if you also talk about this in religious class, then they realize: ‘Hey, they do exactly what we want.’ And this was exactly the point, where we realized: It’s working better with the schools. When one got to know the other. And by now this is running by itself. And the schools cooperate really well and support us.” (C)

When asked if all schools cooperated in this way, he explained:

“Except for one or two. But otherwise there are hardly any problems. There are no problems at all.” (C)

However, when talking to individual teachers, both from the IFB and others, the situation does not seem to be as positive as described above.

One female teacher of the IFB explained in an interview for this research how some of the teachers at the two schools where she taught would cooperate with her and use her as a connection to the Muslim pupils, while others completely ignored her.

“They would not say hello to me. They take pupils out my class just after it starts. And if I send a pupil to bring him back, saying ‘No, he has Islamic education class now, he has to come here’, the pupil comes back and reports ‘Mrs X (the class teacher) said I don’t care what the Islam teacher says about that.’ Or another example: I do not get a room. And it is not only me, it’s the same for my colleagues. There is still one of us, (...) who is not allowed to enter the teachers’ room and make copies there or anything else. He does not have a key for the teachers’ room.” (O)

Although she explains that the Islamic religious education is generally well received and no complaints have ever been heard, she describes, how they still are ‘forth class teachers’: *“Second class are the contract teachers and the assistant teachers, which we partially have again, or the trainee teachers. And third class are the religious teachers, and actually fourth class are the Islam teachers.” (O)*

Another interviewee, a teacher of ethics classes among others, quoted a representative of the *Humanistischer Verband* (Humanistic Association) who organizes ethics classes at public schools, from conversations with colleagues from the IFB:

“outrageous stories, (...) existed there... until the religion colleague from the Islamic Federation noticed that he was being audio monitored in class, at a school in Neukölln (district of Berlin).” (D)

Although the schools were entitled to monitor Muslim religious classes once a term and observe the content of the classes, this particular school obviously did not even trust that the teacher spoke openly when the headmaster was present. The effects of the discourse around the concealment of their true positions by Muslims and Muslim organizations, particularly those such as Milli Görüs or the Islamic Federation under surveillance by the *Verfassungsschutz*, (‘what they say is not what they really think’), can well be observed in this need of the school to secretly – and illegally – audio monitor the IFB teacher.

Another interviewee and teacher at public schools explained that generally among the teaching staff great reservations towards Islam and even anti-Muslim stereotypes existed that had different causes:

“There is a Christian line of tradition, but there are also within enlightenment these anti-Islamic stereotypes, and among teachers they exist too. They are here rather part of the problem than part of the solution. (...) I believe that this has to do with the attitude of the majority society and teachers are just a part of it.” (D)

Judging from the experiences of individual teachers the situation of the IFB teachers still seems to be quite tense at some schools, while at the same time they are appreciated as mediators in school conflicts concerning Muslims at others. The fact that the representatives of the IFB seem to stress the positive developments while largely downplaying the remaining problems might be interpreted as an attempt to further remove the tension from the situation in schools and in contact with the Senate Administration for Education and to further develop a situation of forced tolerance into one of acceptance and even respect at public schools.

Even though the legal right to offer Islamic religious education at state schools was finally achieved in 2001, it has caused a hardened atmosphere between Muslim organizations and educational institutions in Berlin, a situation which is comparable with the case of the Muslim pupil fighting for his right to pray in school at the court level. Concerning this case a headmaster stated:

“If we have a court judgment that obliges us, we are forced to formally enact things, which heightens the rejection even further.” (E)

Some interviewees also highlighted the fact that cases that are brought to court can turn into mere power struggles, where winning or losing the case tends to become more important than the actual content.

3.3. Discourses on Islamic religious education at public schools

3.3.1. Islamic religious education as an issue of equal treatment and recognition

Demand for Islamic education as a requirement of equality before the law

An interviewee who had worked in the field of integration for many years criticized that educational politics had not dealt with the issue of Islamic religious education a long time before the actual court case with the IFB started.

“I can remember, when I was deputy chairman of the GEW (trade union for education), Hanna Renate Laurien from the Senate for Education was here. I had put through this Islamkunde (religious instruction without a denominational basis) within my atheist GEW, which has since been demanded by the TBB (Turkish Federation of Berlin Brandenburg) as a demand of the GEW. Laurien said that there is no need for action. In eighty-seven! If in 1987 in Berlin you say there is no need for action for Islamic religious education, then I don't know! (B)

The interviewee explains that in the late 1980s even secular organizations such as the TBB and the GEW already supported some kind of Muslim religious instruction at public schools in Berlin. He further explains that the TBB, even in its foundational declaration in 1991 demanded,

“that for reasons of equal rights, of equal treatment, the question of Islamic religious education should be resolved.” (B)

He further refers to the basic right to religious education guaranteed in Article 7 of the German constitution.

“So we need not – however we may think about religious education at school –debate it any longer. Therefore the question of equal treatment is the most important. If various Christian and other religions have this right, and this is also carried out in practice, it actually has to be accepted as a right for Muslim children. And then it must be considered how this can be realised, because there is no church in Islam.” (B)

Also other interviewees, teachers and former teachers supported Islamic religious education for reasons of equal rights although personally opposing the idea of religious education at public school altogether.

“As long as denominational religious education for Catholics and Protestants is offered, I will fight for it to be offered for Muslims as well. But generally I hold the opinion that religious education has no place in school.” (A)

“Although I personally know many very engaged religious teachers, I actually hold the opinion that religion, no matter which form, has no place at all in a public school.(...) But when it is there, it has to serve everybody.” (J)

Demand for Islamic education as prerequisite of a culture of recognition

A teacher of the IFB in Berlin, explained in an interview that the fact that Islamic religious education was taught in public schools in Berlin today was an important sign of acceptance and recognition for many Muslim citizens. Especially as the general perception of migrants and Muslims in school and society as a whole was still one of foreigners than of equal citizens, even small contributions of Muslim pupils to the school culture would play an important role.

“For 50 years they have been told that they could not become Germans. (...) For me all these children are German. We speak German in class.” (O)

She described how many teachers do not perceive their pupils with migration history as Germans and as an equal part of society. In order to offer them another self-perception, one that conciliated being German with being Muslim, she tried to contribute to the general school culture with the Islamic class. The headmaster of one of her two schools supported her and allowed her class to present a Muslim song at a general school celebration.

“The parents were enthusiastic. I received double the number of registrations after that. They were simply delighted that something that belonged to them had a place too. Three minutes in this half an hour school term celebration.(...) They felt accepted, they felt recognized, they felt welcome.” (O)

She explained how these small symbolic moments could easily open doors and the hearts of the Muslim pupils and parents and the often difficult communication with teachers could quickly be established.

Other teachers also referred to the general necessity to increase a culture of recognition towards non ethnic German and/or Muslim children at public schools. One female teacher, who also works as a teacher trainer, said:

“Everywhere where schools do good work for children with migration background regarding language education, an interplay of different factors is crucial. It is a good cooperation with parents, then a collaboration with institutions in the school context, migrant organizations, Quartiersmanagement (specific programme for socially deprived areas), and so on. And what is also important: to express a culture of recognition.” (A)

3.3.2 Islamic religious education as an issue of state control over religious minority

Looking at the national level, the public debate about Islamic religious education at public schools across Germany has also been brought forward by German public officials over recent years who strongly support the process of its implementation. The German Islam Conference (*Deutsche Islamkonferenz – DIK*), where German politicians and representatives of Muslim organisations as well as individuals with some kind of Muslim background have regularly met and discussed relevant issues since 2006, explicitly opted for the implementation of Islamic religious education at public schools and founded a specific working group within the *DIK* to implement this project.

However, the interests of German public institutions in establishing Islamic religious education generally differ from those of most of the Muslim representatives. The Islamic studies scholars Kiefer and Mohr explained this difference in motivation between the two sides – the Muslim communities and the German state via the *German Islam Conference DIK* – as follows: The Muslim organizations were mainly “striving for the acceptance as a religious community by the state”, while the public actors “... advocated an Islamic religious education mainly as an instrument of the prevention of extremism” (Kiefer & Mohr, 2009: 206; translated by the author).

How this prevention of extremism is meant to be supported through Islamic religious education can be seen from an interview with a Muslim teacher in the federal state of Lower Saxony, who has been involved in the year-long process of establishing Islamic religious education in Lower Saxony. She strongly criticised that the *DIK* tried to influence the content of the future Islamic religious education, despite the German constitution defining the authority over theological content of the religious education as lying with the religious communities themselves. One example the interviewee gave of the – in her view - (mis)use of Islamic religious education, was the demand the *DIK* made of the Muslim organizations to incorporate tolerance as an educational goal into the curriculum.

“The Islam Conference 2008 for example tells us to educate the pupils towards a willingness to tolerate (toleranzbereit) and that they shall develop an attitude of tolerance. The Islamic education should do that.” (K)

The interviewee does not focus on the fact that this demand indirectly proposes an actual intolerance of Muslim children and a specific need of Muslims to be educated towards tolerance, more than members of other religious communities. She rather criticizes a perceived inequality of the treatment vis-à-vis the Christian denominations.

“If you look at the curricula of Catholic and Protestant [religious education], then you see that within the curriculum of the Catholics the expression tolerance does not even appear. Then you look at the guidelines of the bishops and you realize that the concept of tolerance is missing.(...) They have created wonderful guidelines, really good. (...) But tolerance does not play a role, only respect. You know...but respect towards the other. (K)

When tolerance goes beyond respect

In this statement, the discomfort of the interviewee with this selective political application of the concept of tolerance becomes evident and especially with tolerance being demanded of one religious community exclusively. While ‘respect’ seems to be self-evident for her as a concept inherent to religious education in general, the public demand of education towards tolerance is interestingly perceived as going beyond respect. This is noteworthy, because tolerance is generally understood as ‘less than respect’. If differing attitudes are tolerated, and, despite being disliked, not actively opposed, nor respected.¹⁷ Rainer Forst uses the word tolerance for both attitudes, defining one as an

¹⁷ For different concepts of tolerance, respect, acceptance and recognition please see the different contributions to the theoretical frame and background of the project ACCEPT Pluralism and the overview report: Tolerance and cultural diversity in Europe: Theoretical perspectives and contemporary developments by

‘allowance-conception’ (*Erlaubniskonzeption*) of tolerance, where a different attitude or practice is permitted but not liked and can also be prohibited by the will of the more powerful party; and the other as ‘respect-conception’ (*Respektkonzeption*), which describes recognition of and respect towards different attitudes and practices¹⁸.

The interviewee in the context of tolerance being demanded by the state as an outcome of Islamic religious education positions this tolerance in a very different way however, as more than respect, when she complains that the Christian churches ‘only’ talked about respect, but did not mention tolerance.

Respect seems to be something clear, logical and (in the view of the interviewee) easily granted towards other religions whereas tolerance (especially the demand to be tolerant) may not be as clear and precisely definable. There is not one clear definition of tolerance and it can even be used to describe different and even antagonistic views. **Indeed, it might be this vaguely defined, sometimes inconsistent and simultaneously moralistic character of the concept of tolerance that makes it attractive for use in public discourse by different actors and for different purposes. For example, the concept of tolerance can be used to demand openness to diversity, but also the adaptation by minorities to the majority society by defining the acceptance of values of the majority as a sign of tolerance, while adhering to different values and practices is swiftly labelled ‘intolerant’.**¹⁹

Tolerance as a concept supporting exclusion and othering

In this context of the *DIK* and the demand of tolerance as an educational goal of Islamic religious education, the vague usage of the concept of tolerance seems to fit the wider discourse about Islam in Germany. Within the dialogue between the public representatives and the Muslim communities and individuals (particularly the *DIK*), vague ideas and concepts have been criticised by Muslim members who have by and large been asked to subscribe to German values, without those values being clearly defined (Schiffauer 2010). The refusal to accept this proposal due the ill-definition of concepts was then presented to the German public as the unwillingness of Muslim organisations to subscribe to German values (Reimann, 2007), rather than the refusal to subscribe to ideas and concepts which are ill-defined and thus can be used for different and even inconsistent purposes.

The application of the tolerance conception and the insistence of tolerance from one specific religious minority by a national political institution, the *DIK*, can in consequence be perceived as the drawing of political borders between those that belong to the trusted in-group, and those that do not. In this case the Christian denominations that self-evidently determine their curricula without interference are the in-group, while the Muslim representatives and Islamic religious education are the out-group, having to establish themselves and prove their trust-worthiness. Perceived tolerance or intolerance of the respective group is itself the marker of the border between the in- and the out-groups. Obviously the Muslim pupils are perceived as being in special need of tolerance-education and Islamic religious education – especially when under the supervision of the state – is perceived as one goal towards this end.

(Contd.) _____

Dobbernack and Modood, drawing on contributions of Bader, Honohan, Mouritsen, Olsen, Schiffauer and Triandafyllidou (2011); <http://accept-pluralism.eu/Research/ProjectReports/NationalDiscourses.aspx>

¹⁸ Forst, R. (2003) *Toleranz im Konflikt*, Frankfurt/Main, 45.

¹⁹ The above mentioned argumentation of Johannes Kandel of the Friedrich-Ebert-Foundation in Berlin concerning the case of the prayer room at a public school for example was based on the idea, that too much tolerance (towards intolerant views and practices) could lead to a society becoming less tolerant in the end, because intolerance was tolerated too much and in the end proved stronger than tolerance. The widely heard slogan ‘no tolerance towards intolerance’ thus often implies restrictive arguments and practices towards certain groups and minorities, that are supposedly less tolerant than the majority.

The interviewee particularly criticised the unequal treatment of Christian and Muslim religious groups in regard to the basic right to religious freedom:

“(...) And I think, this is alright, if they perceive themselves in this way, because this is also religious freedom. But that shows, we as Muslims are told, what the content has to bring about this educational instruction (...). This religious freedom, that we are defining the content, is actually restricted. And so the religious education is actually exploited for solving integration problems. (...) That is exactly the problem, if one says ‘the willingness of Muslims to integrate grows, if they have Islamic religious education’ or ‘...it is a means of increasing the integration of Muslims in this society.’” (K)

The interviewee seems to be especially disturbed by the fact that Islamic religious education is perceived as a means towards integration, especially as she mentions it in the context of the constitutionally granted right of the community to define religious content without interference, which she sees as under threat. The perceived political attempt to interfere in religious instruction in order to make Muslims conform more is possibly seen as particularly problematic as it touches upon the very core of minority religious identity and their basic constitutional and human rights.

Allowance tolerance or equal rights? The question of representation of Islam in Germany

The question of Islamic religious education at public schools is extremely relevant because issues of representation and participation are negotiated here. In recent years Muslim communities have been asking for this basic legal right granted by the constitution more self-consciously and have simultaneously aimed to get legal recognition as religious communities. As the legal regulations demand a cooperation between the public institutions and the respective religious communities, one of the biggest problems of the implementation of the religious classes was to find the appropriate Muslim organization or federation with whom to design the religious education in line with the constitution, as hardly any organization is legally acknowledged as a religious community.

As described above, Berlin has legal exceptions from Article 7 in the German constitution, which enabled one Muslim organization, the IFB, to acquire the right to give religious education at public schools, after several years of court cases. The focus of the court cases was the question of whether the IFB could be acknowledged as a religious community in the legal sense, which then automatically enabled it to give religious education on their own authority in any public school in which enough pupils wanted to take part in the elective classes. The legal situation did not entail the state providing religious education at public schools, but guaranteed the financial provision of the classes and the teachers' salaries. Despite its having different legal situation, Berlin's extensive experience with Islamic religious education may offer an example for other regions and help avoid unnecessary mistakes and hardships.

To date all the different models of religious education that have been developed in the various federal states have been, with the exception of Berlin, labelled as transitory stages or model tests because the central question of a (legally accepted) religious community as partner of the state has not been finally resolved. In some federal states, such as Lower Saxony and North Rhine Westphalia, advisory boards have been created to represent the Muslim communities for want of an officially recognised religious community. They are designed to ensure the possibility of starting Islamic religious education even before the question of representation has been resolved. However, the composition of the advisory boards of different federal states are different. While in Lower Saxony representatives of the Schura (a coalition of different Sunni Muslim communities) and Ditib (closely connected to the Turkish state) form this board, in North Rhine Westphalia Islamic scholars are supposed to take part in the board in addition to the representatives of Muslim organizations. In both federal states the regular Islamic religious education at public schools in the whole state has been announced for 2012, for which the final regulations of the representation are crucial. It is particularly the latter regulation of the board,

which also concerns members from outside the Muslim organizations, that is causing a major concern among parts of the Muslim community that their basic constitutional right to religious self-determination could be at stake.

3.4. Conclusion

Concerning the Islamic religious education in Berlin it can generally be concluded that on the one hand the teachers and their classes are appreciated by a number of schools because they are able to both mediate in conflicts and specific issues concerning Muslims and have a positive influence on the Muslim pupils and their situation within the wider school context. On the other hand the deep-rooted scepticism towards the organization and their teachers, and partially to Islam in general, can still be found in certain schools.

The fear of influence or even indoctrination by certain Muslim organizations is quite strong in the educational landscape of Berlin. One headmaster even told the interviewer, who wore a headscarf, that wearing this kind of clothing bore the *“danger of being misused as a ‘liberal figurehead’”* by those who themselves continued to oppress women. He thus saw the headscarf as a sign of the oppression of Muslim women, and even if this might not have been applicable to the interviewer herself, he still imagined some kind of Muslim organisation behind the interviewer which could use her apparently liberal attitude and lack of oppression to disguise their own (conservative) attitudes and goals. This sphere of mistrust towards religious Muslim organisations could also be observed in the case of prayer at school, where many interviewees held the opinion that the driving force behind the pupil was not only his father but a dubious religious organisation trying to enforce its own agenda, even though nothing of this nature had been mentioned in any newspaper article about the case.

With the long public debate about the Islamic Federation of Berlin and their supposedly problematic background, in this case a concrete focus of scepticism and even hostility had been formed which seems to have subsided only very slowly. It coincides with a general scepticism towards Islam as a whole, that is actually rising in German society and not excluded from the school setting. One non-Muslim teacher in Berlin declared:

“The Sarrazin debate²⁰ has mobilised forces, mobilised attitudes, that has had a worsening effect, a disastrous worsening effect.” (A)

Looking at other federal states, where the provision of Islamic religious education at public schools is currently being developed, the crucial question will be whether a real recognition and acceptance of the religious organisations and their right to define the religious content of the classes will be achieved. This will probably be an important prerequisite for Muslim parents in accepting the Islamic religious education for their children and in order for the Muslim parents and children to feel accepted and recognised in German public schools in general, with their religious particularities.

The other challenge seems to be the reconciliation of the different intentions of the Muslim organisations and the public authorities, both trying to bring Islamic education at public schools forward.

The concept of tolerance tended to have an excluding function when used by public officials, with demands that tolerance be taught to the Muslim children (with the implication that they are intolerant). Muslim teachers, organisations and other actors in civil society however mainly used the concepts of acceptance and recognition when referring to the negotiations with the public authorities, and to the necessity to develop an inclusive school culture.

²⁰ Anti-Muslim discourse around *“Deutschland schafft sich ab”* (Germany does away with itself) by Thilo Sarrazin, former board member of the German Federal Bank.

Regarding possible policy recommendations on the local level in Berlin, the Berlin Senate for Education together with regular school teachers, headmasters and representatives and teachers from the *IFB* should consider organising possibilities for encounter between the teachers of Islamic religion and the regular school teachers. One interviewee working for a school project had described her experience with establishing this kind of contact at one school, where a school teacher had asked her to talk to the IFB teacher because she did not dare to herself. After getting into contact with him she appreciated the contact. This indicates that the contact at some schools might still be poor and that prejudice still prevails.

Similarly the headmasters of the public schools that offer Islamic religious education should consider actively integrating the IFB teachers into the school teams. This would both offer them equal opportunities and rights and counter hierarchical thinking between different kinds of teachers, but also make better use of the specific skills of the IFB teachers, such as being able to mediate between (religious) Muslim pupils and parents and non-Muslim pupils and teachers in potential areas of conflict.

At the national and state levels the political representatives together with the representatives of Muslim organisations should investigate all possible ways of acknowledging the Muslim organisations as *Körperschaften des öffentlichen Rechts* (corporations under public law). This is a basic prerequisite for close cooperation with the state, similar to that enjoyed by Christian churches, and would allow for Islamic religious education to be the responsibility of the Muslim communities as guaranteed by the constitution. It would assist with dealing with other issues of religious practice, that have already arisen or may arise in the future.

4. Conclusion

The two cases presented in this report both concern issues of Islam, Muslims and Muslim religious practice within the setting of German public schools. They differ however in many aspects. While the case of the prayer room mainly concerns the question of visible and lived (Muslim) religiosity within the general setting of the public school, the case of Islamic religious education is located on the margins of the public school life. It is organised and carried out by a Muslim organisation that does not belong to the public school setting itself, but has a kind of guest role.

The former case concerns the question of religious freedom of the individual, in this case the individual student, in relation to the school, its members and the school administration. The latter case is more relevant for the question of the rights religious groups, specifically the right of a specific religious minority community to carry out religious education at public schools. It also touches upon the wider question of recognition of Muslim communities by the German state and the question of close cooperation like that has traditionally linked the state and Christian churches.

Both cases deal with conflicts, which had eventually been negotiated before going to court. While the court case concerning religious education had lasted nearly 20 years and was settled some years ago, the case of the prayer room is still ongoing.

Another difference is the age and status of the people involved. The *IFB* is a Muslim organisation of adult persons, many of them former immigrants, who have some access to financial resources and legal advice within their organisation. The Muslim pupil and his father however are individuals, the pupil a minor, with limited access to legal advice and financial resources. The father of the boy, who was the one initiating the court case, has no immigrant background, but is a converted ethnic German.

As both cases were taken to court they can both serve to illustrate conflicts regarding Muslim religiosity and public schools, that were not solved with good understanding, but represent strongly opposing views and attitudes of the individual cases but also towards the role of (minority) religion in public schools in general.

For this reason they are both illustrative of the how different actors deal with this opposition and how the concepts of tolerance, acceptance and respect are applied within the debates. As Islam and particularly Muslim practices in school have been widely debated in Germany within recent years, these two cases not only illustrate the way respective actors deal with those concepts, but also how they are applied nationally and in wider public discourse about Muslims and Islam, specifically in relation to school life.

Tolerance is probably the concept which is used the most often in the context of (religious) diversity, but can be rather vague and at times paradoxical. It is used in different ways by different actors and for different purposes.

In the case of the prayer room, the first court (*Verwaltungsgericht*) used the concept of tolerance in connection to respect, saying that a common prayer room for all children at school could help them to learn mutual tolerance and respect. The court thus referred to an understanding of tolerance that might best be described by the 'respect-conception' of tolerance (Forst 2003). This sees tolerance as a virtue that is mutually given by different partners, but goes beyond mere forbearance of the other towards respect of the other's views and attitudes.

The second court level (*Oberverwaltungsgericht*) and the Berlin Senate Administration for Education framed tolerance in a different way by perceiving it as too weak an instrument for securing peace at a diverse school. This view sees tolerance as a practice that could even lead to increased incidence of conflict at school, if too much (different) religious expression is tolerated. The understanding of tolerance is here a rather exclusive one, close to the 'allowance-conception' of Forst. Here one party has the power to tolerate the other or not, and tolerance is granted (or not) in spite of inner rejection of the other or his or her practices and views.²¹

It is within this 'allowance-conception' of tolerance that the representative of the Friedrich-Ebert-Foundation talks about the question of the prayer room at a Berlin school and asserts the demand of 'no tolerance for intolerance'. With this slogan, widely heard in the public discourse about Islam in Germany today, the concept of tolerance is even perceived as a threat to peace and public order, especially if it is applied in relation to people and groups who are perceived as not tolerant themselves. As Islam and Muslims are often portrayed as having intolerant attitudes and practices, from homophobia to misogyny and rejection of other faiths and world views, the slogan 'no tolerance for intolerance', which had traditionally been used when rejecting rightwing extremism and violence, turns into an agent of and justification for restrictive and illiberal views and politics towards Muslims.

This rather intolerant effect of the concept of tolerance conforms to a new 'principled intolerance' of liberalism (WP2 state of the art report, 28), which has been analysed in a threefold manner: The first modality of this new liberal intolerance is concerned with the protection of the cohesion of a liberal society, the second is concerned with the liberal divide between public and private and the third with the creation of a particular type of 'liberal people', who lead responsible, autonomous lives.

Concerning the issues of the prayer room and the Islamic religious education all three modalities of this 'new intolerance' can be found in arguments and actions of different actors.

²¹ This perception also comes close to the classical definition of toleration by Preston King, for whom toleration always implies a tension between two 'components' (King 1976, 44-54): objection and acceptance.

In the case of the Islamic religious education at state schools the concept of tolerance is explicitly referred to by one of the Muslim teachers who quotes the *DIK*, the German Islam Conference, setting tolerance education as one of the major goals of the religious education.

The interviewee only criticises the interference of the state with the content of the religious education, for which there is no provision in the constitution. She is also uncomfortable with the concept of tolerance as something demanded from Islamic education only, whereas texts by Christian institutions regarding religious education referred to respect towards other religions but not to tolerance.

Although respect is usually perceived as the stronger form of acknowledgement of others than tolerance, it is the vague and often paradoxical character of the concept of tolerance that raises the concern of a broader form of interference of the state into the content of the religious education. In contrast the concept of respect raises fewer concerns, as it can be defined more easily .

The application of the concept of tolerance, especially in the context of the *DIK*, thus implies what has been named above as the goal of ‘protection of the cohesion of a liberal society.’ It also touches upon another discussion, led in the context of the *DIK*, about the German values to which the Muslim organisation should subscribe (the *Leitkultur*), that ensure cultural homogeneity in the face of growing social and religious diversity. However, there is no clear definition of these values . This also directly links to the third modality of the ‘new liberal intolerance’ mentioned above, which is especially relevant in the field of public schools: the creation of a particular type of ‘liberal’ people, who lead responsible, autonomous lives. As Islam and Muslim religious practice is often seen as contrary to this aim, one of the interests of the public institutions in the field of Islamic religious education might be – at least as part of the concerns of the Muslim representatives - to reform religious Muslims. Religious Muslim practice, such as wearing headscarves or praying in public, seems to go against the liberal project and could be controlled in order that they better fit the accepted individualist and somehow ‘privatised’ model of religion.

Another aspect of the concept of tolerance, and the border of what is tolerated, is a certain power for drawing social borders between the respective discourses and practices. Both tolerance and intolerance of certain groups and practices invoke a degree of power inequality, because the tolerating entity (in this case the public institutions) can always withdraw this tolerance, as tolerance is not the granting of a legally confirmed right but a voluntary act of ‘allowance’. Especially the invocation of tolerance of a presumably less tolerant individual or group – in our analyses Muslim pupils, parents and organisations – is a strong means of drawing boundaries in society. As Wendy Brown puts it: “Its invocation draws spatial boundaries of dominion and relevance, as well as moral boundaries about what can and cannot be accommodated within this domain” (Brown 2006, 29).

Following the logic of the slogan ‘no tolerance for intolerance,’ the individual or group labelled as intolerant is quickly excluded as the non-acceptable. The definition of who and what is tolerant or intolerant however strongly lies with the more powerful actors in the public debate, like political representatives and state institutions.

In the case of prayer rooms at schools one of the non-Muslim teachers strongly defined any kind of proselytising attitude or behaviour as intolerant and thus beyond the border of the acceptable. While he did not see the prayer in school as an act of proselytism as such and could still tolerate it, the representative of the Berlin Senate Administration for Education cited an Islamic scholar in defining the Muslim ritual prayer as an act of proselytism per se, because it was highly visible due to defined bodily movements and often performed in groups. This definition was among the main arguments of the Senate and the respective school authorities to not grant a room for prayer in public schools.

This excluding power of the tolerance concept and discourse may be one of the reasons why neither Muslim individuals nor organisations in either case referred to the ideas of tolerance when claiming religious freedom of individual pupils, (performing the prayer at school for example) or the rights of minority religions (giving religious education at public schools for example).

Similar to the the Muslim pupil and his supporters who referred to religious freedom as a basic principle of the constitution, the Muslim organisation *IFB* and the other Muslim organisations trying to implement Islamic religious education at public schools in other federal states referred to the right to religious education, guaranteed in Article 7 of the constitution.

The application of the concept of legal rights and the aversion to the invocation of tolerance by the *DIK* in the case of the Muslim teacher can be seen as an attempt to discuss these issues as a legitimate part of German society and not a tolerated outsider.

Another important argument of the Senate Administration for Education and the respective school administration against the provision of a prayer room was the question of the religious neutrality of the state and its institutions. This neutrality of the state – that had already justified the headscarf bans for teachers at public schools in Berlin and other federal states – was interestingly perceived differently by the different courts. While the first court did not see the neutrality at stake through the provision of a prayer room, the higher court defined the state neutrality in a more laic sense and decided that the provision of a room for religious purposes would interfere with the strict neutrality of the state. As mentioned above, the understanding of the German constitution of religious neutrality of the state is quite different from laic states as such as France or Turkey, but allows for close cooperation by the state with religious institutions and for the support of religious activity as long as no religious community is favoured over others as any form of state religion.

However, the debate about Islam over the last ten years has particularly supported a kind of ‘laicisation’ of the understanding of state neutrality and can be seen as a means to limit the Islamic religious expression and practice at public schools and other public institutions, something generally perceived as alien to German culture and values.²²

At a public discussion about the court case of the prayer in Berlin, Hans Michael Heinig, a professor for church law, explained that there were actually three alternatives debated among experts concerning the further development of the *Staatskirchenrecht* (the law affecting the church and the state) in the future:

1. Equal treatment before the constitutional law regarding religion (*Religionsverfassungsrecht*)
2. Hierarchisation through the privileging of the Christian denominations
3. Laicisation of the religious legal order.

The privileging of Christian denominations (as seen in the debate about *Leitkultur*) and the laicisation of the religious legal order (with the changing perception of state neutrality towards religion as described above as an example) are widely heard in public debates about issues of religion in general and Islam in particular, Heinig explains. However, in his view the option of equal treatment before the *Religionsverfassungsrecht* is by far the best option, also in terms of compatibility with EU law.

He further states that tolerance as a concept should not feature in the legal debate. The toleration of people with a different faith would be only a pre-stage to religious freedom, which has already been secured, and as an individual virtue of the citizens it is no legal duty. He also explains however that an intelligent legal framework on religion could support tolerant attitudes amongst citizens and a non-intelligent could one hinder this tolerance.

On the other hand he called religious tolerance as a virtue an important tool of extrajudicial conflict-management. Here he situated the connection between tolerance and religious freedom as an object of legal protection:

²² Regarding the different application of state neutrality towards issues concerning Islam and issues concerning Christianity please see the discussion about headscarves versus the discussion about crucifixes layed out in the first German report of the Accept-Pluralism project (WP1).

“The more intolerant a society is, the more important the effective enforcement of religious freedom becomes, but also the more precarious the claim towards enforcement of the law becomes within the society.” (FES, Nr.38: 6)

Concerning the prayer case, many interviewees explained that the headmaster of the school concerned in Berlin had a very antagonistic attitude towards Muslim prayer at school and that the young man had no other option in order to secure his perceived religious right to pray at school other than going to court. This would support the view cited above, that the less tolerance a society – or sub-system in society – shows, the more important the effective enforcement of religious freedom is.

On the other side tolerance of the prayer at school is even seen as a possible way of handling the issue by many of the actors who generally opposed a prayer room. It could thus be perceived as the virtue of the citizens, and seen as necessary for extrajudicial conflict management in society. . The moment however in which more than voluntary tolerance is demanded, namely the enforcement of a legal rule, this tolerance seems to become diminished.

Similarly with the introduction of the religious classes of the *IFB*, the legal process was a necessary step for the *IFB* to reach their goal and be granted the right to teach in public schools. Despite the intolerant attitude of the Berlin Senate Administration towards them, once they started working in the public schools, which had been legally forced to accept the organisation, the Muslim teachers felt the effect of a compulsory ‘gritted teeth tolerance’ of the teachers and the administration towards them, which made them feel like an unwanted guest in someone else’s house. The enforcement of the legal rule – and probably also its reporting by the media – seems to have further diminished the tolerance towards the Muslim teachers and their work at the public schools in Berlin, at least regarding the first years of work.

This shows that the concepts of intolerance, tolerance, acceptance and respect are not always unilinear, one following the other in openness towards difference and diversity, and that even the virtue of (forbearing) tolerance can on the individual basis be an important factor for a peaceful living together. On the structural and legal level however tolerance is not an applicable concept to the debate about the acknowledgement of minority religions. As Heisig explained, as the toleration of people of a different religion and their practices it would only be a pre-stage to religious freedom, currently one of the basic pillars of the German constitution.

The lesson learnt could thus be, that tolerance of other beliefs and practices as an individual virtue should be supported in society, while on the structural and legal level the equal treatment of all religious communities should be the only goal and concept of debates.

However both are also mutually dependent, and the equal legal position of Christianity and non-Christian religions, namely Islam might not be at all self-evident to many Germans. As the debates of recent years were led by leading public figures and often implicitly or even explicitly labelled Islam as an alien religion outside the German *Leitkultur*, they strongly influenced the attitude towards Islam and Muslims within German society as a whole.

In consequence the attempts of Muslim individuals or even organisations to visibly introduce Islamic religious practices and teachings into public schools, the heart of the education of future society, has been received sceptically by many people involved. This then leads to unequal treatment, stigmatisation and even racism towards Muslim pupils and teachers within some public schools.

The individual attitude is thus not to be completely distinguished from structural and legal circumstances and debates, and especially public figures like political representatives on the local, regional and national level should be aware of their strong responsibility not only for equal treatment of all citizens and communities before the law, but also for individual attitudes and the current rising intolerance in society towards those labelled as others.

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Annex I

A) List of interviews

(All interviews were led by Nina Mühe, tape recorded and then transcribed by Veronika Faiz, unless otherwise stated below.)

Interviews with policy makers and experts from Muslim and non-Muslim NGOs

No 1, (N), male, representative of the Berlin Senate Administration for Education, Science and Research, 27.04.2011

No 2, (B), male, former representative of the secular Turkish NGO *Türkischer Bund Berlin Brandenburg (TBB)*, 06.04.2011

No 3, (C), male, representative of the Muslim Organisation *Islamische Föderation Berlin (IFB)*, 08.04.2011

No 4, (H), male, representative of the *Bildungswerk der evangelischen Kirche Berlin-Brandenburg* (Educational Centre of the Evangelical Church Berlin-Brandenburg), 18.04.2011

No 5, (I), male, employee of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 20.04.2011

No 6, (Q), female, teacher and associate of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 18.05.2011

No 7, (R), male, teacher and associate of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 18.05.2011

Interviews with teachers

No 8, (A), female, teacher, teacher trainer and author of school book for Islamic religious education, 05.04.2011

No 9, (D), male, teacher and member of the *Humanistischer Verband Berlin-Brandenburg* (Humanist Union Berlin-Brandenburg), 11.04.2011

No 10, (E), male, teacher and headmaster of Berlin school, 12.04.2011

No 11, (J), female, teacher and active member of teachers' union *GEW (Gewerkschaft für Erziehung und Wissenschaft)*, 20.04.2011

No 12, (K), female, (Muslim) teacher of school project in Hannover, 22.04.2011

No 13, (O), female, (Muslim) religious teacher of the *IFB (Islamische Föderation Berlin)*, 11.05.2011

No 14, (P), female, (Muslim) teacher at the Muslim elementary school in Berlin, 16.05.2011 (tape recorded but not transcribed)

Interviews with Muslim pupils

No 15, (F), female, student at secondary school in Berlin (Gymnasium), 14.04.2011

No 16, (G), male, student at secondary school in Berlin (Gesamtschule – Comprehensive School), 15.04.2011

No 17, (L), male, student at secondary school in Berlin (Gymnasium), 26.04.2011

No 18, (M), male, former student at secondary school in Berlin (Gymnasium), 11.04.2011

Interview Guidelines

NGO representatives and policy makers

Example: Senate representative:

Case 1 – Prayer at public school

- Mr P, after the Administrative Court had decided that the Muslim pupil who had gone to court should be permitted to perform his prayer once a day in school, the Senate Administration for Education reacted negatively and appealed against the decision. Could you please explain shortly the reasons for this decision?
- The Administrative Court ruled that the neutrality of the school was not endangered by the prayer of the student. The Berlin Senator for Education viewed this differently. Could you please explain shortly the difference between these two perspectives and especially the view of the Senate regarding the issue of neutrality?
- The media quoted among others, that “the Muslim prayer in school had a demonstrative and missionary character” and had thus to be rejected. Could this have been avoided by a separate room for the prayer?
- During the first hearing there was the argument that one would soon be confronted with entire gyms full of praying students, which would overburden the schools. At the second hearing one main argument was, that the pupil had not used the room often enough. Is there not a contradiction within the argumentation?
- One media article reported: “The representatives of the Senate Administration for Education pointed to the fact, that at the *Diesterweg Gymnasium* 29 nationalities and all kinds of religions were present. By tolerating the midday prayer of a student, additional conflicts would be created.” Do you think it is a long term solution to keep the diversity of the students out of the schools, or should we not look for possibilities for talking about them and find common solutions?
- According to you, what could an amicable solution that would have avoided the court case, have looked like? Do you think the setting up of a common ‘room of silence’ would be an option?

Case2 – Islamic religious education

- The Senate Administration for Education was against the religious education at Berlin schools, held by the Islamic Federation. Could you please explain shortly, why, and if the preception has changed until today?
- How are the experiences of the schools with the respective teachers and with the instruction?

- Which kind of solutions for (or against) the Islamic religious education would have been favoured by the Senate Administration for Education?
- Some years ago there were plans to introduce *Islamkunde* (instruction about Islam, which is not confessional) instead of the confessional education by the Islamic Federation. What happened to these plans?

Other representatives

Every representative of an NGO or a public institution was asked specific questions in relation to what he or she had uttered publicly regarding one of the issues in question or both of them.

Teachers

Example: Non-Muslim female teacher, teacher trainer at public schools and co-author of a school book for Islamic religious education

- Did you follow the prayer case closely through ist media reporting?
- Did you hear discussion among teachers and school stuff about this issue? If so, which views were prevailing among the teachers?
- Do you think the public discontent after the first court decision was really widely spread within the public schools or was it a media event?
- Which kind of solutions are found for these problems or can be found?
- How do you think this problem should be dealt with?
- Is this case in any way symptomatic for dealing with religious minorities or Muslims in particular?
- On a continuum of “tolerance – acceptance – recognition/respect” towards religious minorities – where would you position this case? And can it be positioned there at all? And what would you think would be a solution, that would belong to the area of acceptance or respect?
- Do you have any experiences with the instruction of the Islamic Federation, or did you hear about experiences of any of your colleagues?
- Has the initially bad perception of the Islamic Federation and ist teachers changed?
- Do you know anything about the material they use? Do they use your book too? In which other federal states/ cities your book is being used?

Other teachers:

Every Muslim or non-Muslim teacher was asked some specific question regarding his or her specific situation as a teacher of ethics, religion, a Muslim or a non-Muslim teacher.

Muslim students

- What are the most important issues in school?
- Have you heard about the court case regarding the prayer at school?
- What do you think about it?

- Is the prayer an issue at your school? How does the school administration and how do the teachers deal with it?
- Is it an issue for you personally?
- How do you think this issue should be solved?
- Are there other things concerning your religious expression, that have become an issue at school?
- Do you feel accepted with your religion at your school? If not, why not?
- How do the non-religious students think about the way the school deals with Islamic practices? How do they perceive the issue of prayer at school? Are there any conflicts?

Discussion Group

The discussion group was held as a four hours exchange between scientists, experts, teachers and pupils. The main topic of the debate was „Islam and Islamophobia in school“ and the debate was separated into two parts:

From 14:00 to 15:45 we heard an input by Prof Werner Schiffauer about Islamophobia in school, that was followed by discussion between all participants. The debate was led by Prof. Werner Schiffauer and Nina Mühe.

From 16:00 to 18:00 we heard inputs by different actors within the field of school and students training: Evelin Lubig-Fohsel, Aliyeh Yegane and Chalid Durmosch gave insight into their daily work with teachers and students in different projects. After the inputs all the speakers and participants had lively debates. The debate was led by Hakan Tosuner.

The group consisted of seven (Muslim and non-Muslim) teachers, trainers and other experts from the area of education, four Muslim pupils and four experts from the field of science and research including the author of the report.

